

## **RESOLUTION NO. R-2010-1419**

### **A RESOLUTION APPROVING THE EXECUTION OF THE 2010 COOPERATIVE AGREEMENT BETWEEN WASHINGTON COUNTY AND THE UTAH DIVISION OF WILDLIFE RESOURCES**

WHEREAS, the Washington County Habitat Conservation Plan (HCP) was implemented in 1995 to reconcile conflicts between desert tortoise conservation and economic development. The HCP established the Red Cliffs Desert Reserve (Reserve) to maintain the long-term viability of desert tortoises within the Upper Virgin River Recovery Unit. In return, Washington County was granted an incidental take permit under Section 10(a) of the Endangered Species Act to allow development of tortoise habitat outside the Reserve, provided properties are cleared and released prior to surface disturbing activities; and

WHEREAS, the HCP signatories and cooperators include Washington County, the Division of Wildlife Resources (Division), the U.S. Fish and Wildlife Service, the Bureau of Land Management, and local municipalities; and

WHEREAS, in order to accomplish activities identified in the HCP, participants signed an implementation agreement. Specific responsibilities of the Division include coordinating the monitoring of the Reserve, participating in the management of relevant areas of the Reserve, implementing programs for species of concern, assisting with funding and land acquisition, and assisting with tortoise clearances, removal surveys, and translocation activities; and

WHEREAS, Washington County (County) and the Division desire to enter into a cooperative agreement for the year 2010 to establish a cooperative relationship between Washington County and the Division for funding studies and activities to be conducted to implement the Washington County Habitat Conservation Plan; and

WHEREAS, the County and the Division have negotiated a cooperative agreement for 2010 which will allow the Division to conduct HCP-approved activities that are anticipated to assist the County in meeting the responsibilities of the HCP permit, and contribute to the recovery of desert tortoise and the conservation of other target species of concern in Washington County pursuant to the terms set forth therein (Agreement), a copy of which is attached hereto as exhibit "A"; and

WHEREAS, it is in the best interest of the citizens of Washington County that the County execute the Agreement.

NOW, THEREFORE, at a regular meeting of the legislative body of Washington County, Utah, duly called, noticed, and held on the 2<sup>nd</sup> day of February 2010, upon motion duly made and seconded, it is unanimously:

Resolved that the Agreement, a copy of which is attached hereto as Exhibit "A", is hereby approved and adopted. A copy of the Agreement is on file in the Office of the Washington County Commission.

VOTED UPON AND PASSED BY THE WASHINGTON COUNTY COMMISSION AT A REGULAR MEETING OF THE WASHINGTON COUNTY COMMISSION HELD ON THE 2<sup>ND</sup> DAY OF FEBRUARY 2010.

WASHINGTON COUNTY

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JAMES J. EARDLEY, Chair  
Washington County Commission

ATTEST:

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Kim M. Hafen  
Washington County Clerk-Auditor

Commissioner Eardley voted \_\_\_\_\_  
Commissioner Gardner voted \_\_\_\_\_  
Commissioner Drake voted \_\_\_\_\_